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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 SHAWN J. PRESTON,

11 Plaintiff,

12 v.

13 LAKEWOOD POLICE DEPT. *et al.*,

14 Defendants.
15

CASE NO. C08-5748RBL

REPORT AND
RECOMMENDATION

Noted for July 17, 2009

16 This matter comes before the court upon plaintiff's failure to provide the Clerk with the
17 required copies of his complaint and service forms (summonses and U.S. Marshal's forms).

18 On January 8, 2009, the court issued an order directing service of the Complaint, but only
19 after Plaintiff provided the marshals forms and/or copies of the Complaint for each defendant
20 to properly effect service in this matter. *See* Doc. 5. Plaintiff was directed to supply these
21 documents by not later than February 20, 2009, and plaintiff was warned that without the
22 appropriate service copies, the matter was subject to dismissal for failure to prosecute. *Id.*

23
24 On March 30, 2009, Plaintiff filed a motion (Doc. 12), asking for an extension of time
25 until June 9, 2009, to provide the service documents. The court subsequently granted the
26 motion. Doc. 15. However, to date Plaintiff has not submitted the necessary documentation

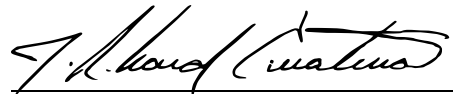
1 to allow the clerk's office to prepare the matter to be served. This matter should be
2 dismissed for lack of prosecution.

3 CONCLUSION

4 Based on the foregoing, the Court should dismiss plaintiff's claims and causes of action
5 based on plaintiff's failure to properly prosecute the matter.
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7 Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil
8 Procedure, the parties shall have ten (10) days from service of this Report to file written
9 objections. See also Fed.R.Civ.P. 6. Failure to file objections will result in a waiver of those
10 objections for purposes of appeal. Thomas v. Arn, 474 U.S. 140 (1985). Accommodating
11 the time limit imposed by Rule 72(b), the clerk is directed to set the matter for consideration
12 on July 17, 2009, as noted in the caption.
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14 DATED this 16th day of June, 2009.

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17 J. Richard Creatura
18 United States Magistrate Judge
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